

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

PAUL G. PATTERSON, M.D.

Certificate No. C-24669

Respondent.

No. D- 4454

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, as its Decision in the above-entitled matter.

IT IS SO ORDERED April 6, 1992.

This Decision shall become effective on May 6, 1992.



THERESA L. CLAASSEN
Secretary Treasurer
Division of Medical Quality

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)

PAUL G. PATTERSON, M.D.)

No. D-4454

OAH No. N-38094

Physician's and Surgeon's)
Certificate No. C-024669,)

Respondent.)

DECISION

This case was originally tried before Administrative Law Judge Muriel Evens who issued a proposed decision. The Division of Medical Quality reviewed and non-adopted the proposed decision and then proceeded to decide the case itself upon the record, including the transcript.

The parties were afforded the opportunity to present written and oral arguments before the Division itself.

Having reviewed the entire matter, the Division now makes this decision.

The Division adopts the attached proposed decision of the ALJ as its decision in this case, except that one additional probationary condition shall be added to the penalty order as follows:

"10. If and when respondent returns to California to practice medicine, respondent shall undergo a psychiatric evaluation (and psychological testing, if deemed necessary) by a Division-appointed psychiatrist who shall furnish a psychiatric report to the Division or its designee.

"If respondent is required by the Division or its designee to undergo psychiatric treatment,

respondent shall within 30 days of the requirement notice submit to the Division for its prior approval the name and qualifications of a psychiatrist of respondent's choice. Upon approval of the treating psychiatrist, respondent shall undergo and continue psychiatric treatment until further notice from the Division. Respondent shall have the treating psychiatrist submit quarterly status reports to the Division."

All other terms and conditions in the penalty order of the proposed decision shall remain in effect.

The effective date of this decision shall be _____.

So ordered _____.

DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA

By _____

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

| | | |
|---------------------------------|---|-----------------|
| In the Matter of the Accusation |) | |
| Against: |) | No. D-4454 |
| |) | |
| PAUL G. PATTERSON, M.D. |) | OAH No. N-38094 |
| |) | |
| |) | |
| Respondent. |) | |

PROPOSED DECISION

On July 9, 1991, in Sacramento, California, Muriel Evens, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Jana Tuton, Deputy Attorney General, represented the complainant.

Respondent was present and represented himself.

Evidence was received, the record was closed and the matter was submitted.

FINDINGS OF FACT

I

On November 9, 1972, the Board Issued physician and surgeon certificate no. C24669 to respondent Paul G. Patterson.

II

Pursuant to stipulation, and effective July 8, 1989, the Minnesota Board of Medical Examiners conditioned and restricted respondent's license to practice medicine and surgery in that state. The basis for the discipline in Minnesota was respondent's practice of offering prayer and deliverance as a form of medical treatment or in connection with a medical examination or treatment. Respondent engaged in this activity on his own initiative and even if the patient asked him to stop.

The Minnesota Board conditioned respondent's license, in part, as follows:

- a. Respondent shall abstain from offering prayer or deliverance as a form of medical treatment or in connection with a medical examination or treatment.
- b. Respondent shall meet on a quarterly basis with a designated Board member....The purpose of such meetings shall be to review respondent's progress under the terms of this stipulation and order.
- c. Respondent shall pay to the Board a civil penalty of \$3,000.

III

Respondent had his first religious awakening, involving the influence of demons on people, in the 1970's. For several years he read on the subject and travelled to speak to ministers regarding deliverance and the effect of the spiritual dimension on lives. During his travels he met people who had had numerous medical treatments, without success, for failed back syndrome. The people were then prayed over for healing and had demons cast out, resulting in pain relief. Respondent tried to bring this form of healing to his patients, in addition to more traditional forms of medical care.

Since January 5, 1991, respondent is no longer practicing orthopedic surgery or medicine due to degenerative arthritis in his thumbs. He is no longer carrying malpractice insurance.

Respondent is 58 years old, with one child still in college. He would like the option of returning to some form of medical practice some time in the future, health permitting.

While respondent still believes in deliverance and demonology, he no longer believes it has helped his patients.

Respondent's religious views appear to be sincerely held. He is no longer interested in imposing his religious views on his patients.

IV

Respondent's conduct in treating his patients with prayer or deliverance is unprofessional conduct.

DETERMINATION OF ISSUES

Cause for discipline of respondent's license for violation of Business and Professions Code section 2305 was established by Finding II.

ORDER

The certificate issued to respondent Patterson is revoked. However, the revocation is stayed and respondent is placed on probation for 5 years on the following terms and conditions:

1. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in California.
2. Respondent shall submit quarterly declarations under penalty of perjury on forms provided by the Division, stating whether there has been compliance with all the conditions of probation.
3. Respondent shall comply with the Division's probation surveillance program.
4. Respondent shall appear in person for interviews with the Division's medical consultant upon request at various intervals and with reasonable notice.
5. The period of probation shall not run during the time respondent is residing or practicing outside the jurisdiction of California. If, during probation, respondent moves out of the jurisdiction of California to reside or practice elsewhere, respondent is required to immediately notify the Division in writing of the date of departure, and the date of return, if any.
6. Upon successful completion of probation, respondent's certificate will be fully restored.
7. If respondent violates probation in any respect, the Division, after giving respondent notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is filed against respondent during probation, the Division shall have continuing


jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

8. Within 60 days of the effective date of this Decision or of residence in California for the purpose of practicing medicine, respondent shall take and pass an oral or written examination, in a subject to be designated and administered by the Division or its designee. If respondent fails this examination, respondent must take and pass a re-examination consisting of a written as well as an oral examination. The waiting period between repeat examinations shall be at three month intervals until success is achieved. The Division shall pay the cost of the first examination and respondent shall pay the cost of any subsequent re-examinations.

Respondent shall not practice medicine until respondent has passed the required examination and has been so notified by the Division in writing. Failure to pass the required examination no later than 100 days prior to the termination date of probation shall constitute a violation of probation.

9. Respondent shall abstain from offering prayer or deliverance as a form of medical treatment or in connection with a medical examination or treatment.

Dated: August 7, 1991



MURIEL EVENS
Administrative Law Judge
Office of Administrative Hearings

DANIEL E. LUNGREN, Attorney General
of the State of California
JANA L. TUTON
Supervising Deputy Attorney General
1515 K Street, Suite 511
P.O. Box 944255
Sacramento, California 94244-2550
Telephone: (916) 324-5336

Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

NO. D-4454

ACCUSATION

PAUL G. PATTERSON, M.D.
1517 Berne Circle West
Minneapolis, MN 55421
Physician and Surgeon
Certificate No. C 24669

Respondent.

Kenneth J. Wagstaff, Executive Director, for causes for
discipline, alleges:

1. Complainant Kenneth J. Wagstaff makes and files
this accusation in his official capacity as Executive Director,
Medical Board of California, Division of Medical Quality,
Department of Consumer Affairs, State of California.

2. On November 9, 1962, the Medical Board of
California issued physician and surgeon certificate number C

1 24669, to Paul G. Patterson, M.D. The certificate was in full
2 force and effect at all times pertinent herein and has been
3 renewed through April 30, 1991.

4
5 3. Under Business and Professions Code section 2234,
6 the Division of Medical Quality may take action against any
7 licensee who is charged with unprofessional conduct.

8 Under Business and Professions Code section 2305, the
9 revocation, suspension, or other discipline by another state of a
10 license or certificate to practice medicine issued by that state,
11 shall constitute unprofessional conduct against such licensee in
12 this state.

13 Under Business and Professions Code section 118(b), the
14 expiration of a license shall not deprive the Board of
15 jurisdiction to proceed with a disciplinary action during the
16 time within which the license may be renewed, restored, or
17 reinstated.

18 Under Business and Professions Code section 2428, a
19 license issued by the Medical Board may be renewed, reissued,
20 reinstated or restored at any time within five years.

21
22 4. Respondent has subjected his certificate to
23 discipline under Business and Professions Code section 2305 on
24 the grounds of unprofessional conduct in that on July 8, 1989,
25 the Minnesota Board of Medical Examiners, took disciplinary
26 action by its issuance of an Order based on the June 17, 1989
27 stipulation signed by respondent, whereby respondent's license to

1 practice medicine and surgery in the State of Minnesota was
2 placed on conditions and restrictions in the following respects:

3 a. Abstain from offering prayer or deliverance as a
4 form of medical treatment or in connection with a medical
5 examination or treatment.

6 b. Meet on a quarterly basis with a designed Board
7 member to review respondent's progress under the terms of this
8 stipulation and order.

9 c. Pay to the Board a civil penalty of \$3,000.00.

10 d. Failure, neglect, or refusal to fully comply with
11 each of the terms, provisions, and conditions shall result in the
12 immediate suspension of respondent's license upon notice from the
13 Board.

14
15 WHEREFORE, complainant prays that a hearing be held and
16 that the Division of Medical Quality issue an order:

17 1. Revoking or suspending physician and surgeon
18 certificate number C 24669, issued to Paul G. Patterson, M.D.

19 2. Prohibiting Paul G. Patterson, M.D. from
20 supervising a Physician's Assistant.

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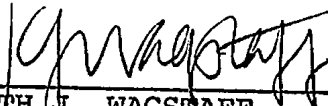
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1 3. Taking such other and further action as may be
2 deemed proper and appropriate.

3 DATED: February 20, 1991

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6 
7 KENNETH J. WAGSTAFF
8 Executive Director
9 Medical Board of California
10 Department of Consumer Affairs
11 State of California

12 Complainant
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